

ALSTON & BIRD LLP
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 New York, New York 10016
Attorneys for Plaintiff
 MEADOWBROOK MEAT COMPANY, INC.

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X
 MEADOWBROOK MEAT COMPANY, INC.,

Plaintiff,

-against-

PHOENIX PARTNERS, L.P. PHOENIX
 PARTNERS CORP., JOSEPH DEL VALLE,
 MICHAEL CARSTENS, MICHAEL GROWNEY,
 DONNA DEL VALLE, VANQUISH
 ACQUISITION PARTNERS LLC, CDG
 ENTERPRISES, and SOUTHEAST CRUISE
 HOLDINGS LLC,

Defendants.
 -----X

07 CIV 5979 (NRB)

**PLAINTIFF'S NOTICE OF
 DISMISSAL OF ACTION
 WITHOUT PREJUDICE**

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 8/20/07
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Plaintiff Meadowbrook Meat Company, Inc., by its undersigned attorneys, hereby serves notice that the above captioned action hereby is dismissed and discontinued, without prejudice and without costs, as against all defendants.

Dated: New York, New York
 August 17, 2007

SO ORDERED

[Signature]
 U.S.D.J.

8/20/07

ALSTON & BIRD LLP

By: *[Signature]*

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 F. Paul Greene (FG1837)

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 Meat Company, Inc.*
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